

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WALTER FREITAS,

Petitioner,

vs.

DWIGHT NEVEN, *et al.*,

Respondents.

2:10-cv-00059-PMP-RJJ

ORDER

This is a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 in which petitioner, a state prisoner, is proceeding *pro se*. On September 23, 2010, respondents' filed a motion to dismiss with accompanying exhibits. (ECF Nos. 8-12.) As petitioner notes in his opposition, it appears that pages ten and eleven are missing from respondents' Exhibit W, which contains petitioner's post-conviction petition filed in state court. Because pages ten and eleven are relevant to the arguments contained in respondents' motion to dismiss, and the pages appear to have been inadvertently omitted, the court orders respondents to provide them. *See* Rule 5 of the Rules Governing Section 2254 Cases.

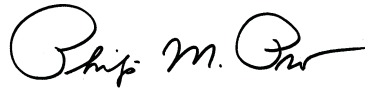
Respondents are hereby ordered to provide the missing pages to the court and petitioner within ten days of this order. Respondents may also file a reply addressing petitioner's contention that he exhausted ground 6, should they desire to do so.

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1 **IT IS THEREFORE ORDERED** that respondents **SHALL FILE** with the court and
2 **SERVE** on petitioner pages ten and eleven of petitioner's post-conviction petition filed in state court
3 within ten days of the date of this order.

4 **IT IS FURTHER ORDERED** that respondents may file a reply within ten days of the date
5 of this order.

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7 DATED: July 25, 2011.

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PHILIP M. PRO
United States District Judge
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